

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

Examination Appeal

ISSUED: October 3, 2018 (RE)

On her application, the appellant indicated that she possessed a Doctorate of Nursing Practices degree, a Master's degree in Nursing, and is a Registered Professional Nurse. The appellant listed eleven positions on her application and resume: 1) Director of Nursing with Newark; 2) Assistant Director of Nursing with Essex County; 3) Nursing Supervisor with St. Joseph's Rehabilitation Center (part time, 24 hours per week, at the same time she was employed full-time in positions 1 and 2, and part of 4, and while obtaining a Doctorate degree, and position 6); 4) Regional Staff Nurse with the Department of Health/Human Services (full-time, overlaps with full-time position 2, part-time position 3, positions 5, 6, 7); 5) Assistant Director of Nursing with the Bergen Regional Medical Center (part-time.

16 hours per week); 6) Nursing Professor with Kean University (no hours given); 7) Nursing Professor/Assistant with Rutgers School of Nursing (no hours given); 8) Assistant Director of Nursing with Windsor Garden Care Center (no hours given); 9) School Nurse with Essex County Public Schools (no hours given, overlaps with positions 10 and 11); 10) Nursing Supervisor with Youth Consultation Service (no hours given); and, 11) Staff Nurse with Newark Beth Israel Hospital (no hours given).

There is no record of the appellant having a provisional position in the subject title in official records (position 1), nor do they reflect employment with Essex County (position 2). The record only contains her employment with the Department of Health (position 4). The appellant was credited with 9 months of experience in the eighth position, and 11 months of experience in the tenth position. As such, she was found to be lacking three years, four months of required experience.

On appeal, the appellant indicates that she has a Doctorate degree, and she submits her transcripts. She also provides a listing of her work experience, leadership certifications and proven hours of service.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). Thus, only supervisory nursing experience is qualifying experience. As such, positions 4, 6, 7, 9 and 11 are inapplicable.

Next, duties that appear to mimic the required duties listed on the job specification rather than describe actual responsibilities while serving in a particular position, in the absence of any corroborating information, is not acceptable. Candidates are instructed not to attach a job specification to the application with the note “see attached, but are told to describe their duties in detail. In this case, the appellant did not receive credit for positions 1, 2, 3 and 5 as she copied the job specification for the title under test and the announced experience requirement. For example, for position 1, the provisional position which is unrecorded by Newark, she copied all the examples of work from the job specification of the title under test, and includes the education, experience and license requirements afterwards.

For position 2, Assistant Director of Nursing with Essex County, there is no official record that Essex County supplied regarding this position. The appellant indicated that she was employed full-time in this position from November 2016 to the February 2018 closing date, while simultaneously employed full-time in position 1 and part-time, 24 hours per week in position 3 from April 2017 to February 2018, and while employed full-time in position 4 from the commencement of this position in November 2016 to July 2017, when her employment in position 4 ended. This means that from November 2016 to July 2017 she was working 94 hours per week (12 hours per day, seven days a week) while concurrently obtaining her Doctorate degree and teaching college (position 6 from January 2017 to June 2017, and position 7 from September 2016 to December 2016). After July 2017, she was working 70 hours per week while obtaining her Doctorate degree. Aside from this issue, the appellant copied word for word nine examples of work from the job specification for the subject title.

For position 3, the appellant was a Nursing Supervisor for St. Joseph's Rehabilitation Center. For this position, the appellant copied selected Examples of Work and knowledge, skills and abilities from the job specification for Director of Public Health Nursing Service, many of them word for word. As her duties for these positions are not in her own words, positions 1, 2 and 3 cannot be qualified.

For position 5, Assistant Director of Nursing with the Bergen Regional Medical Center (part-time, 16 hours per week), the appellant began her job description on the application with the first ten items listed in the knowledge, skills and abilities section of the job specification for Director of Public Health Nursing Service. She followed this with the first 14 Examples of Work from that job specification, and partially included the 15th when she ran out of space. The appellant attached a separate job description which appeared to be duties written in her own words, however, no supervisory duties were listed, and the primary focus was not nursing, but scientific and administrative evaluations of applications and proposals to "assigned program areas." At this point it should be noted that the appellant has submitted ten applications for various examinations. On four applications she indicated working 16 hours per week in this position. For one application, she indicated working 8 hours in this position, and for another application, she indicated working 24 hours in this position. Now that that employment has ended, the number of hours worked per week should be stable, and not a moving target that shifts with the requirements of a desired position.

On the other hand, the appellant was credited with 9 months of experience in the 8th position, Assistant Director of Nursing with Windsor Garden Care Center, although she had not given the number of hours worked per week. She had indicated that she was at this job from January 2007 to September 2007. On a prior application (PS8117K), the appellant indicated she was a Head Nurse with Saint Mary's Hospital, part-time, 16 hours per week, from October 2006 to December

2008. Thus, it is unclear if the Assistant Director of Nursing position was full- or part-time, and it cannot be quantified. Lastly, while for position 10 the appellant called herself a Nursing Supervisor, she did not provide any supervisory duties, nor did she indicate the number of Nurses that she supervised. Thus, this position is also inapplicable.

Given a holistic view of the information submitted, the appellant lacks five years of required experience. Had she properly completed her application, she may have been credited with further experience. However, the application indicated that, "You may be declared ineligible or you may not receive proper credit for scoring purposes if you do not properly complete your application ... Failure to properly complete your application properly may cause you to be declared ineligible, lower your score, or possibly cause you to fail." The appellant has not provided the information needed on appeal to quantify and qualify her positions and the appellant is not consistent with her employment history.

Lastly, if the appellant has a provisional appointment with Newark, the appointing authority is on notice that it is required to record this appointment in the County And Municipal Personnel System (CAMPS).

An independent review of all material presented indicates that the decision of the Agency Services, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support her burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 3rd DAY OF OCTOBER, 2018



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